IN THE

Supreme Court of the United States

OCTOBER TERM, 1978.

No. 77-1680

THE PEOPLE OF THE STATE OF MICHIGAN,
Petitioner,

vs.

GARY DEFILLIPPO,
Respondent.

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS OF THE STATE OF MICHIGAN.

BRIEF, AMICI CURIAE, OF AMERICANS FOR EFFECTIVE LAW ENFORCEMENT, INC., THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC., AND THE MICHIGAN ASSOCIATION OF CHIEFS OF POLICE.

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This brief is filed pursuant to Rule 42 of the Supreme Court of the United States. Consent to file has been received in writing from Counsel for the Petitioners and Counsel for the Respondents. Copies of these letters have been lodged with the Clerk of the Court.

INTEREST OF THE AMICI CURIAE.

Americans for Effective Law Enforcement, Inc. (AELE) is a national, not-for-profit citizens organization incorporated under the laws of the State of Illinois. As stated in its by-laws the purposes of AELE are:

1. To explore and consider the needs and requirements for the effective enforcement of the criminal law.
2. To inform the public of these needs and requirements, to the end that the courts will administer justice based upon a due concern for the general welfare and security of law abiding citizens.
3. To assist the police, the prosecution, and the courts in promoting a more effective and fairer administration of the criminal laws.

In furtherance of these objectives AELE seeks to represent in our courts, nationwide, the concern of the average citizen with the problems of crime and of police effectiveness to deal with crime.

The International Association of Chiefs of Police, Inc. (IACP) represents over 5,000 chiefs and top executives of police departments and other law enforcement agencies in all 50 states and in 85 foreign countries. The IACP serves the law enforcement profession and the public interest by advancing the art of police service. Its aims are to foster police cooperation and the exchange of information and experience among police administrators throughout the world, and to encourage adherence of all police officers to high professional standards of performance and conduct.

The Michigan Association of Chiefs of Police (MACP) represents over 300 chiefs and top executives of police departments and other law enforcement agencies in the State of Michigan. The MACP serves the law enforcement profession and the public interest by advancing the art of police service

in the State of Michigan. Its aims are to foster police cooperation and the exchange of information and experience among police administrators throughout the State of Michigan, and to encourage adherence of all police officers to high professional standards of performance and conduct.

Our interest in this case arises from the nature of the issue involved—whether an ordinance which provides that it is unlawful for a person to refuse or be unable to produce verifiable proof of identity during a *Terry*-type stop is unconstitutional. This issue raises important legal and practical problems for police officers nationwide. *Amici* believe that field interrogation, including identification checks, should be upheld as a legitimate police practice.

ARGUMENT.

I. Introduction.

The instant case squarely presents the question whether an individual who has been legitimately stopped for field interrogation may be constitutionally detained for failure to identify himself.[1] This is a case of first impression before this Court. The Court has upheld the police practice of stopping and interrogating, on less than probable cause to arrest, persons in public places who are reasonably suspected by law enforcement officers of engaging in criminal or potentially criminal behavior. *Terry* v. *Ohio*, 392 U.S. 1 (1968); *Adams* v. *Williams*, 407 U.S. 143

1. The ordinance of the City of Detroit, Detroit City Code No. 39-1-52.3 provides:

> When a police officer has reasonable cause to believe that the behavior of an individual warrants further investigation for criminal activity, the officer may stop and question such person. It shall be unlawful for any person stopped pursuant to this section to refuse to identify himself, and to produce verifiable documents or other evidence of such identification. In the event that such person is unable to provide reasonable evidence of his true identity the police officer may transport him to the nearest precinct in order to ascertain his identity.

(1972). The same line of cases permits the officer to make a protective pat-down or "frisk" for weapons of the individual stopped. *Terry* v. *Ohio, supra; Adams* v. *Williams, supra.*

This Court, speaking through the late Chief Justice Warren, in *Terry* v. *Ohio, supra,* accurately characterized the practice of stopping and frisking suspect persons as "field interrogation."[2] However, in *Terry* v. *Ohio* and in *Adams* v. *Williams,* the legally justified "stop" and the protective "frisk" produced unlawfully concealed weapons which, in and of themselves, escalated the incident into a situation which produced probable cause for a lawful arrest. Police action was justified by the "frisk" itself.

This case presents a different factual setting. As commentators have noted:

> The issue of 'stop and interrogate' has never been fully resolved. The Supreme Court declined to decide whether it was proper to detain a suspect for interrogation on less than probable cause.[3]

This question has very far-reaching implications, insofar as the effective enforcement of the criminal law is concerned.[4]

2. 392 U.S., at 12 and 14. In each instance, the Court referred to the generic practice of "stop and frisk" as field interrogation.

3. Fred E. Inbau, James R. Thompson, James B. Haddad, James B. Zagel, and Gary L. Starkman, *Criminal Procedure* (New York City: Foundation Press, 1974), p. 240.

4. The People of the State of Michigan argue that Detroit City Code No. 39-1-52.3 is not unconstitutional on its face and, in the alternative, that a law enforcement officer's good faith reliance on an ordinance which has not been held unconstitutional prior to the time of the given arrest should not vitiate a conviction even if the ordinance is subsequently held unconstitutional. We will not reiterate the legal arguments in support of this position, although we agree with them and wish to associate ourselves with them. We address ourselves to the fundamental issue whether, under the ordinance, identification can be constitutionally required.

II. The Ordinance in Question Does Not Give Law Enforcement Officers Carte Blanche Power to Detain a Subject Who Fails to Identify Himself.

As noted, this case involves the constitutional legitimacy of a city ordinance which authorizes the arrest or detention of an individual who refuses to identify himself. However, it is extremely important to note that, under the ordinance in question, an absolute precondition to any such detention is that the officer must have "reasonable cause to believe that the behavior of an individual warrants further investigation for criminal activity."[5]

Thus, at the outset, the ordinance is carefully circumscribed. Far from being a blanket authorization to detain anyone whom the officer might encounter for failure to identify, it requires that the *Terry*-type standard of reasonable cause to believe that criminal activity is afoot be met *before* the identification issue even comes into force.

We anticipate that it will be urged on this Court by counsel for Respondent De Fillippo that a general authority on the part of the police to stop all citizens and demand identification, on pain of arrest, will lead to "police state" tactics. This proposition is certainly arguable, but we emphasize again that this simply is not involved in the instant case. If the "reasonable cause" standard, requiring an officer to believe that the subject is engaged in criminal activity, is not met, then the stop would be invalid *ab initio,* and any evidence seized incident to an arrest for "failure to identify" would, of necessity, be suppressed. *Sibron* v. *New York,* 392 U.S. 40 (1968); *Peters* v. *New York,* 392 U.S. 40 (1968).

The issue, then, is narrowed considerably. It can be summed up succinctly: this Court has put its constitutional inprimatur on the right of the police to stop and question, on less than probable cause, persons suspected of criminal activity. *Terry* v.

5. *Supra* note 1.

Ohio, supra; Adams v. *Williams, supra.* The question before the Court now is: after the *Terry*-standard is met (and *only* after the *Terry*-standard is met), how far can the police go in identifying the person or persons whom they have stopped?

III. Field Interrogation Is a Legitimate Police Procedure.

This Court has, in the past, quite properly guarded against arbitrary invasions by the state of individual liberties. *Marshall* v. *Barlow's, Inc.*, ____ U.S. ____, 98 S.Ct. 1816 (1978). But it has also held that the rights of the citizen are not absolute; the legitimate interest of government to maintain order has also consistently been recognized. *Terry* v. *Ohio, supra.* A balance of competing interests has always been sought.

This case involves the question whether an individual in a public place, whom a policeman reasonably suspects of criminal behavior, has an absolute right not to identify himself.[6] If such an absolute right were to be upheld, it would go a long way towards frustrating the legitimate police practice of field interrogation which was recognized in *Terry* v. *Ohio, supra,* and reemphasized in *Adams* v. *Williams, supra,* where the Court stated:

> A brief stop of a suspicious individual, *in order to determine his identity* or to maintain the status quo momentarily while obtaining more information, may be most reasonable in light of the facts known to the officer at the time. 402 U.S., at 146. (Emphasis supplied.)

If the right of an individual *not* to identify himself were to be made absolute, police officers would be put into the anomalous situation whereby they could *ask* for identity, in order to prevent and detect potential criminal activity, but they could

6. This case does *not* involve the question of whether the policeman can compel possibly incriminating statements. If such were the question, important Fifth Amendment issues might be raised. *Miranda* v. *Arizona,* 384 U.S. 436 (1966). The Detroit ordinance in question confers no authority upon the officer other than to require personal identification.

not require an *answer* to this legitimate question. We suggest that the balancing of interests called for in this case should be resolved in favor of the state.

This Court was confronted with a somewhat analogous situation in *United States* v. *O'Brien,* 391 U.S. 367 (1968).[7] That case involved First Amendment freedom of speech rights, as opposed to the Fourth Amendment rights involved in the instant case; the analogy with *O'Brien* arises from the fact that in that case the issue was whether Congress could constitutionally compel the possession of a certain piece of identity, a selective service certificate, and could constitutionally prohibit the destruction or mutilation of the same document.

This Court did not reach the possession issue, because it held that the Congressional prohibition of destruction or mutilation was constitutionally permissible. Of importance to our argument in this brief is the analysis that the Court used in resolving the conflicting interests represented. With regard to the balancing test involved, the Court stated:

> [W]e think it clear that a government regulation is sufficiently justified if it is within the constitutional power of the Government; if it furthers a substantial or important governmental interest; if the governmental interest is unrelated to the suppression of free expression; and if the incidental restriction on First Amendment rights is no greater than is essential to the furtherance of that interest. 391 U. S., at 377.

We reemphasize our acknowledgement that the instant case is not a First Amendment case; but we also submit that the analysis used by the Court in *O'Brien* should have applicability to Fourth Amendment cases as well. To paraphrase from *O'Brien,* the ordinance should be upheld: if the Detroit ordi-

7. The U. S. Court of Appeals for the First Circuit had held the prohibition on destruction to be unconstitutional as an abridgement of freedom of speech, but upheld O'Brien's conviction on the non-possession charge. *O'Brien* v. *United States,* 376 F.2d 538 (1st Cir. 1967). This Court reversed on the destruction charge and did not reach the non-possession issue.

nance is within the constitutional powers of that municipality; if the ordinance furthers an important or substantial governmental interest; if the governmental interest is unrelated to suppression of *Fourth* Amendment rights; and if the incidental restrictions on *Fourth* Amendment rights are no greater than are essential to the related governmental interest.

It follows from this analysis that it must be shown that "field interrogation" furthers an important governmental interest and that the restriction on Fourth Amendment rights is no greater than that which is essential to further the important governmental right. This is the point which we will address herein.

This Court has recognized that the interest of the government in preventing, detecting and suppressing street crime is an important governmental interest. *Terry* v. *Ohio, supra; Adams* v. *Williams, supra*. The question remains: is the process of field interrogation essential to the furtherance of that interest when balanced against the incidental restriction of Fourth Amendment rights which are inherent in the Detroit ordinance?

Unfortunately, very little work of an empirical nature has been done concerning the effectiveness and necessity of "field interrogation" in the suppression of crime. However, we are able to cite to this Court one such study which supports our position, at least to a certain extent. This study is *San Diego Field Interrogation, Final Report*, by John E. Boydston, published by the Police Foundation in August of 1975 (hereinafter cited as *San Diego Field Interrogation*). It is a study of the effectiveness of Field Interrogation (hereinafter, FI) by the San Diego, California Police Department.

During the period in which the study was conducted, a law was in effect in California which provided for compelled identification during a *Terry*-type stop.[8] The officers who were studied

8. Section 647(e) of the California Penal Code, provides: Every person who commits any of the following acts shall be guilty of disorderly conduct, a misdemeanor: * * * (e) Who loiters or wanders upon the streets or from place to place without apparent

(Footnote continued on next page)

in the report asked for and received the names of the persons whom they stopped.[9] Consequently, the findings in that Report are very relevant to the issues involved with the ordinance under fire in the instant case.

The Report is quite lengthy, well over 100 pages. For purposes of brevity we will only summarize the findings in the body of this brief. We have reprinted the Executive Summary of findings and conclusions contained in the Report as Appendix "A" to this brief, and we have lodged copies of the full Report with the Office of the Clerk.

The methodology of the study was to compare the effectiveness of Field Interrogation, in San Diego for nine months, on three levels:

- In the Control Area, Field Interrogations were conducted with no change from normally practiced activities.
- In the Special FI Area, normal Field Interrogations were conducted only by officers who were given special supplemental FI training by Approach Associates of Oakland, California. This training focused on methods for reducing any potential friction between FI subjects and patrol officers.
- In the No-FI Area, Field Interrogations were suspended for the nine-month Experimental period.

The conclusions were as follows:

Suppressible Crimes

The analysis supports the hypothesis that some level of FI activity, as opposed to none, provides a deterrent effect

(Footnote continued from preceding page.)

reason or business *and who refuses to identify himself and to account for his presence when requested by any peace officer so to do, if the surrounding circumstances are such as to indicate to a reasonable man that the public safety requires such identification.* (Emphasis supplied.)

9. In fact, the observers used the Field Interrogation reports to contact 42 subjects for their views of the propriety of the field interrogations. *San Diego Field Interrogation, supra*, at 25. On the official Field Interrogation Report, a space was left for the subject's name. *San Diego Field Interrogation, supra*. Appendix C, C-3. The author discussed the importance of obtaining identification, quoted in this brief, *infra* at 12.

on suppressible crimes in localized areas. Further study is recommended to investigate probable area-displacement effects and to identify the factors involved in determining the optimum levels of FI activities.

The analysis was inconclusive in identfying the specific types of suppressible crime most influenced by FI activities. However, there were indications that burglary, petty theft, and malicious mischief/disturbances—crimes frequently committed by two or more juveniles or young adults—may be the types most influenced.

Taking into account that most (approximately 83 percent) of the arrests in the department arise from other than FI activities (such as radio calls), and that more than 98 percent of Field Interrogations reported do not result in arrests, it is clear that whatever effects Field Interrogations have on suppressing crime stem mainly from the FI Process itself.

Arrests

Although the analysis failed to show that the frequency of arrests was significantly influenced by the frequency of Field Interrogations, there were indications that FI activities contributed to 15 percent or more of the total arrests made by patrol officers and that reports of Field Interrogations helped to lead to additional arrests as the result of crime investigation activities.

Investigators' Use of Field Interrogation Reports

The current manual filing and retrieval system employed by the San Diego Police Department effectively prohibits any extensive use of FI reports by investigators. Under these conditions, it appears that the actual utility of FI reports to investigators is minimal, although the potential utility is considered to be high by the investigators themselves. Recently, investigators were provided an improved method (a computer-based system for comparing FI report data with the suspect information contained in crime reports). The use of this computer-based system is being analyzed.

Police-Community Relations

The analysis showed that neither the frequency of Field Interrogations nor the type of FI training (regular or supplemental) given to patrol officers had a major influence on the attitudes and opinions of San Diego citizens about police activities, including the stopping and questioning of suspicious persons. There were some indications, however, that negative public reactions might develop if the currently low level of FI activities was greatly increased.

Since the subjects of Field Interrogations conducted by the Special FI officers tended to report the most favorable reactions to FI encounters, the San Diego Police Department should consider incorporating elements of the supplemental FI training into its regular training program. *San Diego Field Interrogation, supra,* at 5-6.

These conclusions were subject to certain qualifications, which is why, as noted above, we have attached the Executive Summary of the Report as an Appendix to this brief and have lodged copies of the full Report with the Clerk of the Court. Nevertheless, we submit that the basic findings and conclusions of the Report indicate that the police practice of Field Interrogation does, in fact, have a significant impact on reducing crime.

It is also significant that Field Interrogations as practiced and studied in San Diego was not a major influence in exacerbating police-community relations.

We do not argue that this single study is conclusive on the issue. In fact, no measure of such a volatile activity as police work on the street can ever be completely conclusive. Our argument is that: (1) This Court has recognized the general necessity of field interrogation, as a legitimate crime-suppressing device, in *Terry* v. *Ohio, supra,* and *Adams* v. *Williams, supra;* and (2) The results of the San Diego study appear to bear this out on an empirical basis.

If this is true, then there is a legitimate governmental interest in attempting to suppress a certain amount of crime through

the process of field interrogation, and the practice is certainly constitutional, if properly conducted. *Terry* v. *Ohio, supra,* and *Adams* v. *William, supra.* The requirement of identity, as the San Diego study indicates, is an integral part of field interrogation. In fact the Report describes the police rationale of Field Interrogation as follows:

> An FI program permits the *immediate identification* of those individuals who arouse the suspicions of patrol officers. Sometimes *the identification process* will result in the apprehension of known offenders, and more frequently it will provide the basis for an immediate reasonable-cause arrest. More important, however, the FI contact will emphasize to potential offenders that the police are aware of their specific identity, presence, and activity in the community. Finally, an effective FI program should help to reassure the general public that the patrol officers are actively engaged in protecting law abiding citizens and their property, and are not simply waiting for a crime to occur. *San Diego Field Interrogation, supra,* at 7. (Emphasis supplied.)

We submit that the demonstrated effectiveness and necessity for field interrogation *and* identification should weigh the balance in favor of the state's legitimate interest in this area, as opposed to the minimal abridgement of Fourth Amendment rights involved in this particular area. We believe that this Court should uphold the Detroit ordinance which requires a person reasonably suspected of criminal activity to identify himself, and rule generally that compelled personal identification is a legitimate and constitutional concomitant of field interrogation.

Certainly, the facts of the instant case support this view. Respondent De Fillippo was observed by the police in a situation which clearly indicated some sort of criminal activity: a man in a public alley with a woman with her pants down. An officer who responded to this disorderly conduct call was surely not required to "simply shrug his shoulders and allow a crime to occur or a criminal to escape." *Adams* v. *Williams,* 407 U.S. 143, 145 (1972).

The instant case presents even more, however, on the issue of identification. When the responding officers asked De Fillippo who he was, De Fillippo identified himself as a named police officer, Sergeant Match. This court has held that when a given suspect has been identified as a police officer, the officers who have custody of the police officer/suspect can reasonably believe that he has a firearm on or about his person or in his automobile. *Cady* v. *Dombrowski,* 413 U.S. 433 (1973). Thus, Respondent De Fillippo, by identifying himself as a police sergeant, gave the responding officers extra cause to search him for weapons.

Next, Respondent changed his self-identification and declared that he only *worked* for Sergeant Match, a rather inconclusive statement which could only alert further the officers' suspicions as to the identity of the individual. We can conceive of few clearer cases in which the police officers had not only the right, but the affirmative *duty,* to ascertain just who De Fillippo was, in fact. Thus, the factual situation in the instant case presents a perfect background to demonstrate that the need for identification as an integral part of field interrogation.

CONCLUSION.

The state has a legitimate interest in ascertaining the identity of persons who have been stopped because they are suspected of engaging in possible criminal activity. The instrusion on Fourth Amendment rights is minimal when compared with the necessity for this law enforcement practice. For the foregoing reasons, we urge this Court to reverse the judgment of the Court of Appeals of the State of Michigan.

Respectfully submitted,

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APPENDIX

Executive Summary

BACKGROUND

In the course of a normal duty shift, police patrol officers come into contact with a large number of citizens whom they serve. Frequently the contacts are initiated by citizens who, as victims or witnesses of crimes, call for police services. Other, less frequent contact occurs when patrol officers themselves witness criminal activity and either make an arrest or issue a citation or warning to the offenders. There are also frequent casual contacts between patrol officers and citizens, much the same as occur among the general population in the daily course of work and living.

The first two types of contacts (answering calls for service and law enforcement) are generally accepted as clearly being the responsibilities of police officers, and casual contacts are usually welcomed as necessary and desirable communications between a police department and the public it serves. However, many patrol officers also engage in another, less well-accepted, form of citizen contact—the Field Interrogation (FI), sometimes called a field stop, field contact, or stop and frisk.

The San Diego Police Department defines *Field Interrogation* as a contact initiated by a patrol officer who stops, questions, and sometimes searches a citizen because the officer has reasonable suspicion[1] that the subject may have committed, may be

1. Reasonable suspicion is more than a hunch or mere speculation, but short of the probable cause required for an arrest. It is not susceptible of precise definition. The subject is discussed at length in the *Stop and Frisk* volume of Model Rules For Law Enforcement, developed by the College of Law, Arizona State University with Police Foundation support and published by the Foundation as a public service. The San Diego Police Department was one of the advising departments for the Model Rules project.

committing, or may be about to commit a crime. In San Diego, each FI contact that fails to result in either an immediate arrest or in totally removing the officer's suspicions about the subject is documented in a formal FI report. No FI report is made if the officer's suspicions are removed. This avoids including the names of innocent citizens in police department files. San Diego Patrol officers have traditionally been given extensive training in recognizing valid FI situations and in conducting the interrogations.

In many parts of the country, FI practices have been criticized as an abuse of citizen rights, as a detriment to police-community relations, and as a waste of patrol time. In response to these criticisms, advocates of FI practices have maintained that it helps deter potential criminals, helps apprehend known offenders, assists investigations, and is acceptable to the general public.

Because of the widespread interest and controversy concerning FI practices, the San Diego Police Department requested a grant from the Police Foundation to study some of the issues surrounding FI practices in the city of San Diego.

THE FIELD INTERROGATION STUDY

In April 1973, the Police Foundation provided a grant to the San Diego Police Department for a study of the major effects of three alternative departmental policies for conducting Field Interrogations:

- Continuation of traditional FI practices
- Conducting Field interrogations with patrol officers given special additional training to help minimize potential friction between the department and the public
- Suspension of all FI activities.

Each policy was to be evaluated in terms of its measurable effects on three factors: (1) those reported crimes considered as

suppressible[2] by the San Diego Police Department, (2) total arrest rates, and (3) police-community relations.

System Development Corporation (SDC) was selected as the evaluation contractor for the study. In performing its evaluation, SDC selected three patrol areas—a Control Area, A Special FI Area, and a No-FI Area—that were closely matched in terms of their demographic and socioeconomic compositions, and in their prior reported crime histories. The only controls imposed on these areas related to FI practices:

- In the Control Area, Field Interrogations were conducted with no change from normally practiced activities.
- In the Special FI Area, normal Field Interrogations were conducted only by officers who were given special supplemental FI training by Approach Associates of Oakland, California. This training focused on methods for reducing any potential friction between FI subjects and patrol officers.
- In the No-FI Area, Field Interrogations were suspended for the nine-month Experimental period.

Community attitude surveys were conducted in each of the areas both prior to and following the nine-month Experimental period, and a variety of data was collected for analysis:

- Pre-experimental, Experimental, and Post-experimental time period crime and arrest histories for each of the three study areas
- FI history for each of the three areas during the Experimental and Post-experimental periods
- History of complaints against the San Diego Police Department, with special reference to FI-generated complaints
- Observation reports of sampled FI encounters as witnessed by trained observers

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2. Suppressible crimes are those that the San Diego Police Department has identified as potentially subject to reduction through police patrol activities. These include eight specific crime types: robbery, burglary, grand theft, petty theft, auto theft, assault/battery, sex crimes, and malicious mischief/disturbances. The subject is discussed further in Chapter V.

- Race/ethnicity and age characteristics of FI subjects in each of the three areas
- A sample of the "reasons for stop" of Field Interrogations conducted by Control and by Experimentally trained officers
- A sample of the details of arrests made in the study areas, including: the precipitating cause for arrest; the charges; the age, race/ethnicity and residence of subjects; and the resulting disposition of the case by the district attorney or city attorney
- A survey of police investigators on their use of and attitudes toward FI reports
- A tabulation of requests made by investigators to examine FI reports

SDC's analysis consisted of two principal types of comparisons: (1) the collected data were analyzed using statistical techniques to determine the significant changes that occurred within each study area between the seven-month Pre-experimental period, the nine-month Experimental period, and the five-month Post-experimental period; and (2) the changes occurring in each of the three areas were compared to identify differences that could be associated with either the suspension of FI activities or the conduct of Field Interrogations by specially trained officers.

SUMMARY OF FINDINGS

Reported Crimes

First, the suspension of Field Interrogations in the No-FI area was associated in time with a significant increase in the monthly frequency of total suppressible crimes.[3] The resumption of Field Interrogations in the No-FI Area was associated in time with a significant decrease in the monthly frequency of total suppressible crimes. Monthly means of suppressible crimes

3. See Chapter V for a description of this category.

went from about 75 prior to the experiment to 104 when field interrogations were suspended and back to about 81 when they were resumed. For Part I suppressible crimes only (excludes malicious mischief/disturbances), monthly means went from 63 to 83 and back to 63.

Second, the monthly frequencies of total suppressible crimes did not change significantly in either the Control or Special FI Area during the time periods studied.

Third, the evaluation was inconclusive in identifying the specific types of suppressible crimes most influenced by the level of FI activity.

Fourth, the small sample of reporting areas and months was not sufficient to construct a conclusive model of the relationship between the frequencies of Field Interrogations and of suppressible crimes. However, the preliminary model indicates that suppressible crimes tend to decline one month after Field Interrogations are increased.

Reported Arrests

The monthly frequencies of total arrests in the study areas were not significantly influenced by the levels of FI activities; however, patrol officers departmentwide attribute 17 percent of their total arrests to contacts that began as Field Interrogations.

The quality of arrests resulting from FI contacts is slightly lower than for arrests in other circumstances: 30 percent of the subjects arrested as a result of a Field Interrogation are held-to-answer, as compared with 38 percent for arrests in all other circumstances.

The majority (62 percent) of the subjects of Field Interrogations were not residents of the area where they were stopped, while the majority (57 percent) of arrest subjects were local residents.

There were no significant differences with regard to race/ethnicity, age, or sex, between the subjects of Field Interroga-

tions and the subjects of arrests made by Special FI officers. However, the Control officers arrested significantly more Blacks, and significantly fewer Mexican-Americans and males, than they field interrogated. Less than two percent of Field Interrogations reported resulted in arrests.

Investigators' Use of Field Interrogation Reports

Changes in the frequencies and types of Field Interrogations did not have a major effect on police-community relations in any areas where measurements were conducted. The majority of citizens surveyed in all three study areas accepted Field Interrogations as a legitimate and properly conducted police activity and felt that an appropriate amount of police time is devoted to the practice.

The majority of all citizens who were the subjects of FI contacts felt that the contact was justified and properly conducted. No citizen complaints resulted from FI contacts made in either the Control or Special FI Area. Only three percent of all complaints departmentwide were related to FI activity.

Sample observations of FI encounters by SDC observers failed to identify any major differences in the Field Interrogations conducted by Control and Special FI officers. However, FI subjects reacted more favorably to interrogations conducted by Special FI officers than by Control Officers.

CONCLUSIONS

Suppressible Crimes

The analysis supports the hypothesis that some level of FI activity, as opposed to none, provides a deterrent effect on suppressible crimes in localized areas. Further study is recommended to investigate probable area-displacement effects and to identify the factors involved in determining the optimum levels of FI activities.

The analysis was inconclusive in identifying the specific types of suppressible crime most influenced by FI activities. However, there were indications that burglary, petty theft, and malicious mischief/disturbances—crimes frequently committed by two or more juveniles or young adults—may be the types most influenced.

Taking into account that most (approximately 83 percent) of the arrests in the department arise from other than FI activities (such as radio calls), and that more than 98 percent of Field Interrogations reported do not result in arrests, it is clear that whatever effects Field Interrogations have on suppressing crime stem mainly from the FI process itself.

Arrests

Although the analysis failed to show that the frequency of arrests was significantly influenced by the frequency of Field Interrogations, there were indications that FI activities contributed to 15 percent or more of the total arrests made by patrol officers and that reports of Field Interrogations helped to lead to additional arrests as the result of crime investigation activities.

Investigators' Use of Field Interrogation Reports

The current manual filing and retrieval system employed by the San Diego Police Department effectively prohibits any extensive use of FI reports by investigators. Under these conditions, it appears that the actual utility of FI reports to investigators is minimal, although the potential utility is considered to be high by the investigators themselves. Recently, investigators were provided an improved method (a computer-based system) for comparing FI report data with the suspect information contained in crime reports. The use of this computer-based system is being analyzed.

Police-Community Relations

The analysis showed that neither the frequency of Field Interrogations nor the type of FI training (regular or supplemental) given to patrol officers had a major influence on the attitudes and opinions of San Diego citizens about police activities, including the stopping and questioning of suspicious persons. There were some indications, however, that negative public reactions might develop if the currently low level of FI activities was greatly increased.

Since the subjects of Field Interrogations conducted by the Special FI officers tended to report the most favorable reactions to FI encounters, the San Diego Police Department should consider incorporating elements of the supplemental FI training into its regular training program.

USE OF STUDY FINDINGS IN OTHER CITIES

While the authors feel that the results of the experiment in all probability apply generally to San Diego, the question whether similar results would be obtained in other cities requires replication of the experiment if the cities in question are thought to be markedly different from San Diego with respect to two important characteristics.

- Field Interrogations are a traditional and generally well-accepted practice in San Diego.
- All San Diego police officers routinely receive extensive training in FI practices. The special training for the officers in the experiment represented, as it turned out, only an augmentation of the department's regular program. Therefore, this experiment was not a test of untrained versus FI-trained officers, but rather a test of regularly FI-trained versus more extensively trained officers.